IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 21ST MARCH 2007 / 30TH PHALGUNA 1928

Crl.Rev.Pet.No. 1241 of 2007()

CRA.21/2003 of ADDL. SESSIONS COURT, (ADHOC), PALAKKAD
ST.583/1999 of CHIEF JUDICIAL MAGISTRATE COURT, PALAKKAD

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REVN. PETITIONER:

M.S.VIJAYAN, S/O.SIVASANKARAN,
AGED 52 YEARS, MUNDENGODE HOUSE,
MUNDUR AMSOM, MUNDUR P.O.,
PALAKKAD DISTRICT.

BY ADV. SRI.O.P.NANDAKUMAR

RESPONDENTS:

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1. THE STATE OF KERALA REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. SEBY THOMAS, S/O.THOMAS VADAKKAN,
AGED ABOUT 37 YEARS, PROPRIETOR OF MATHA
MEDICALS, KOPPAM AMSOM, PALAKKAD TALUK,
PALAKKAD DISTRICT.

BY PUBLIC PROSECUTOR – ADV. SHRI. AMJAD ALI

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 21/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J.

Crl.R.P. No. 1241 of 2007

Dated, this the 21st day of March, 2007

O R D E R

The revision petitioner stands convicted for the offence under Sec. 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for two months and to pay a sum of Rs. 33,250/- as compensation vide Sec. 357(3) Cr.P.C.

2. The revision petitioner has sought for modification of sentence and for time to pay the amount of compensation. In the circumstances, sentence is modified to imprisonment till rising of the Court and to pay compensation of Rs. 33,250/- to the complainant and in default to undergo simple imprisonment for three months. The revision petitioner is granted four months time from today onwards to pay the amount of compensation. The revision petitioner shall appear before the Chief Judicial Magistrate, Palakkad on 23/07/2007 to receive sentence.

The Criminal R.P. is disposed of accordingly.

(K.R.UDAYABHANU, JUDGE)

jg